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No. 0920 P. 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Adams et al.

Application No.: 10/751,304

Examiner: NGUYEN, C.T.

Filed: January 2, 2004

Art Unit: 3743

For: VACUUM TREATMENT OF WASTE STREAM
WITH ANTI-INCRUSTATION MEASURES

CERTIFICATE OF TRANSMISSION
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK
OFFICE
ON 6-21-05
JONATHAN A. BAY
REGISTRATION NO. 35064
DATE 6-21-05

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

*** via the Centralized Facsimile Facility for ***
Official Patent Application Related Correspondence
*** (703) 872-9306 ***

Dear Sir:

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
37 C.F.R. §1.321(b),(c) and MPEP §1490

Interest of Person Making This Disclaimer

I, Jonathan A. Bay, represent that I am

(a)

- ☐ an inventor of this invention
- ☐ legal representative authorized to sign on behalf of the inventor(s) for this invention
- ☐ an Assignee of this invention
- ☒ a representative authorized to sign on behalf of the Assignee for this invention

(b) The extent of the owner-entity's interest (ie., the interest of the sole inventor) is in

- ☒ the whole of this invention
- ☐ a sectional interest in this invention, as follows (*state interest of owner*): _____

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Identity of Assignee and Title of Disclaimant (if applicable)

The Assignee is

Name of Assignee Micronics, L.L.C.
Address of Assignee 5335 S. Garrison
Carthage, Missouri (MO) 64836

Title of disclaimant authorized to sign on behalf of assignee _____

Recordal of Assignment in PTO (if applicable)

☒ the assignment was recorded on June 10, 2004
☒ Reel 015455 ☒ Frame 0289
_____ authorization for recordal of the assignment is separately attached hereto.

Disclaimer

I hereby

_____ disclaim the term of this patent subsequent to _____ 19____.

-or-

☒ disclaim, except as provided below, the terminal part of the statutory term of any patent granted on this application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 through 156 and 173, as presently shortened by any terminal disclaimer (if any), of prior U.S. Patent No. 6,754,978.

The owner hereby agrees that any patent so granted on this application shall be enforceable only for and during such period that such patent so granted is commonly owned with said prior U.S. Patent No. 6,754,978, which formed the basis of the double patenting rejection. 37 C.F.R. §1.321(c).

This agreement runs with any patent granted on this application and is binding upon grantee, its successors or assigns.

In making the foregoing disclaimer, the owner does not disclaim the terminal part of any patent granted on this application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 through 156 and 173 of said prior U.S. Patent No. 6,754,978, as presently shortened by any terminal disclaimer (if any), in the event that it later:— expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all the claims canceled by a reexamination certificate, is reissued, or is in any manner

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terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer (if any).

Fee Status
(37 CFR 1.20(d))

<input type="checkbox"/> other than a small entity	fee \$.00
<input checked="" type="checkbox"/> small entity	fee \$ 65.00
<input checked="" type="checkbox"/> Applicant claims small entity status under 37 C.F.R. §1.27.	
<input type="checkbox"/> verified statement attached for _____.	

Fee Payment

☐ The sum of \$ _____ is submitted herewith.
☐ Charge Account _____ for any fee deficiency. A duplicate of this sheet is attached.
☐ Charge Deposit Account _____ the sum of \$ _____ and for any fee deficiency which
 may be due. A duplicate of this disclaimer is attached.
☒ Authorized to be charged by credit card.

Credit Card	Last 4 Numbers	<u>8253</u>
	Expiration Date	<u>03/08</u>

Respectfully submitted,

Date: 6-21-05

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Docket No. 500-6